

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Oct 11, 2024

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JENNIFER Y.,

Plaintiff,

v.

MARTIN O'MALLEY,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:24-CV-03079-ACE

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

ECF Nos. 10 & 14

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 14. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Shata L. Stucky represents Defendant. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 14**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative action pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council shall instruct the Administrative Law Judge to: (1) offer Plaintiff the opportunity for a new hearing; (2) proceed through the sequential evaluation process, including, if necessary, reevaluating whether Plaintiff can perform jobs that exist in significant numbers in the national economy; and (3) issue a new decision.

ORDER GRANTING STIPULATED MOTION FOR REMAND - 1

2. **Judgment shall be entered for PLAINTIFF.**

3. Plaintiff's Opening Brief, **ECF No. 10**, is **STRICKEN AS MOOT**.

4. An application for attorney fees and costs may be filed by separate motion.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, forward copies to counsel, and **CLOSE THE FILE**.

DATED October 11, 2024.



A handwritten signature in blue ink, reading "Alexander C. Ekstrom", is written over a horizontal line.

ALEXANDER C. EKSTROM

UNITED STATES MAGISTRATE JUDGE